

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	<u>FINAL ORDER OF FORFEITURE</u>
-v.-	:	
	:	10 Cr. 191 (JGLC)
ROBERT EGAN,	:	
Defendant.	:	
	:	
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WHEREAS, on or about September 6, 2024, the Court entered a Preliminary Order of Forfeiture as to Substitute Assets (the “Substitute Assets Order”) (D.E. 453) with respect to ROBERT EGAN (the “Defendant”), which forfeited to the United States all right, title and interest of the Defendant in, the following property:

- a. Approximately \$213,505.77 in United States Currency held in Flagstar Bank ending in account number 6918 and held in the title of Robert Egan (“Egan Account-1”);
- b. Approximately \$5,342.04 in United States currency held in Flagstar Bank ending in account number 7435 and held in the title of Robert Egan (\ “Egan Account-2”);
- c. Approximately \$10,000.00 in United States currency held in Flagstar Bank ending in account number 7443 and held in the title of Iris M Egan or Robert Egan (“Joint Account-1”); and
- d. Approximately \$5,063.84 in United States currency held in Flagstar Bank ending in account number 7451 and held in the title of Iris M Egan or Robert Egan; (“Joint Account-2”)

(a. through d., collectively, the “Substitute Assets”);

WHEREAS, the Substitute Assets Order directed the United States to publish, for at least thirty (30) consecutive days, notice of the Substitute Assets Order, notice of the United States’ intent to dispose of the Substitute Asset, and the requirement that any person asserting a legal interest in the Substitute Asset must file a petition with the Court in accordance with the

requirements of Title 21, United States Code, Sections 853(n)(2) and (3). Pursuant to Section 853(n), the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Substitute Asset and as a substitute for published notice as to those persons so notified;

WHEREAS, the provisions of Title 21, United State Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require publication of a notice of forfeiture and of the Government's intent to dispose of the Substitute Asset before the United States can have clear title to the Substitute Asset;

WHEREAS, the Notice of Forfeiture and the intent of the United States to dispose of the Substitute Asset was posted on an official government internet site (www.forfeiture.gov) beginning on November 14, 2024, for thirty (30) consecutive days, through December 13, 2024, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and proof of such publication was filed with the Clerk of the Court on March 20, 2025 (D.E. 461);

WHEREAS, or about September 6, 2024, the Government sent direct notice of the Substitute Assets Order via certified mail, return receipt requested to:

Iris Marylin Egan
168 Montrose Dr
Durham, NC, 27707-3929
(the "Noticed Party");

WHEREAS, on or about October 16, 2024, the Government seized \$213,505.77 from Egan Account-1 (the "Egan Account-1 Funds");

WHEREAS, on or about October 16, 2024, the Government seized \$5,342.04 from Egan Account-2 (“Egan Account-2 Funds”, and together with the Egan Account-1 Funds, the “Egan Funds”);

WHEREAS, on or about October 16, 2024, the Government seized \$10,000.00 from Joint Account-1 (the “Joint Account-1 Funds”);

WHEREAS, on or about October 16, 2024, the Government seized \$5,063.84 from Joint Account-2 (the “Joint Account-2 Funds”, and together with the Joint Account-1 Funds, the “Joint Account Funds”);

WHEREAS, on or about November 1, 2024, Iris Marilyn Egan (“Petitioner”) filed a petition asserting an interest in the Substitute Assets (the “Petition”)(D.E. 456);

WHEREAS, On or about January 22, 2025, the Court entered a Stipulation and Order (D.E 460) wherein (i) the Government acknowledged Petitioner’s interest in one half (50%) of Joint Account Funds-1 and Joint Accounts Funds-2, specifically \$7,531.92 (the “Petitioner’s Share”); (ii) Petitioner withdrew the Petition with respect to the remaining one-half (50%) of Joint Account Funds-1 and Joint Account Funds-2, specifically \$7,531.92 (the “Government’s Joint Account Share”); (iii) Petitioner agreed to not contest the Government’s forfeiture of the Government’s Joint Account Share and the Egan Funds (collectively, the “Forfeitable Property”);

WHEREAS, on or about March 7, 2025, the Government returned the Petitioner’s Share to the Petitioner;

WHEREAS, thirty (30) days have expired since final publication of the Notice of Forfeiture, and no petitions or claims to contest the forfeiture of the Substitute Assets, other than the Petition, have been filed;

WHEREAS, the Defendant and the Petitioner are the only individuals and/or entities known by the Government to have a potential interest in the Forfeitable Property; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2);

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Forfeitable Property is hereby forfeited and vested in the United States of America, and shall be disposed of according to law.

2. Pursuant to Title 21, United States Code, Section 853(n)(7), the United States of America shall and is hereby deemed to have clear title to the Forfeitable Property.

3. The United States Marshals Service (or its designee) shall take possession of the Forfeitable Property and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

Dated: New York, New York
March 21, 2025

SO ORDERED:



HONORABLE JESSICA G. L. CLARKE
UNITED STATES DISTRICT JUDGE